

Elizabeth Grattan Testimony: OHSB 162

Good morning and thank you for allowing me to speak today on behalf of Ohio Senate Bill 162. My name is Elizabeth Grattan and I am here as a concerned constituent and registered voter—I'm also here as a friend to those who have suffered sexual assault, some you have heard from or will hear from today and others who may still not have found the courage to share their story.

Because the truth is, most won't share their story. At least not publicly. They may share it with close friends, sometimes they will confide in their family, but for most all victims, the details of the violence they endured only exists in their memories—in solitude and in nightmares and in fear—fleshed out in their day to day as either self destruction or self preservation or, in some of the worst cases, an end to the life they lost along the way.

For all that is the incredible resilience of the human being, over a third of sexual assault survivors will contemplate suicide, with over 1 in 10 going as far as attempting this early grave. Some succeeding in that path.

To say that rape is not deadly, is a gross oversimplification that ignores the actual lives we have lost.

Of those who do survive to breath another day—it's a world of mourning. Mourning the life that once was. Mourning what they would or might be. Mourning the person they knew prior to the violence—a person they forever now have had to bury.

Rape kills you.

Only you are still breathing. Your heart is still beating. Your children still relying on you to pack their lunch, your boss still demanding you get the project done, your professor still requiring your paper turned in, your bills still showing due dates, your neighbors still whining because your trash can gets in their way. You figure out real quick... the world doesn't care and time isn't going to stop for you to grieve everything you know changed.

This is probably why these victims suffer post traumatic stress at such significant rates—94%. That's higher than combat veterans.

There are victims in this room now, still suffering. What I'm about to say could very well feel like a missile to them... but I think it's important for you to understand.

I want you to indulge me, if you would, I'd like to ask for each of you to close your eyes and imagine.... but not in the cliché traditional way. I don't want you to imagine that this violence has happened to a loved one. I don't want you to imagine that this attack happened to your mother or sister or daughter. No. What I need you to do is to close your eyes and put yourself in a place where you feel comfortable in your skin and who you are and everything you dream and all that you can be and I want you to stay in that moment of YOU. And now I want you to imagine that you are being raped. Violated. Without choice. Without escape. I want you to imagine trying to fight back. I want you to imagine that **you can't**. That your perpetrators strength is far greater than yours—overpowering you. Perhaps with a weapon. We know that weapons are used in 11% of sexual assaults. Maybe it's a gun to your head,

maybe a knife, maybe they have whispered to you that if you struggle it would cost you or your family their lives.

Imagine.

Or perhaps they haven't used a tangible weapon at all. Perhaps all they have is the statistics. Statistics that remind them for every one thousand rapes, just shy of two hundred are ever reported. Of those, only forty-six lead to arrest, and of those, only nine will ever be prosecuted. Perhaps they know that they can easily beat the system, with less than 5 in 1000 rapists ever seeing a day in prison.

And if that person violating you now is your spouse... forget it. Ancient old coverture legacies mean you must have consented when you said your vows.

So... it's all done and over now. Except it isn't at all. You have to muster up the strength and courage to have a whole new violation happen to you now. You aren't allowed to scrub it out. You can't burn the bed sheets or take a shower. You have to consent to more strangers poking and prodding the "private" places that used to be yours and yours alone and aren't anymore—somehow.

There's a nurse and a uniformed officer there. "Tell us everything that happened, and tell us... over and over and over and over and over and over again."

(Why didn't you just pretend it didn't even happen).

Rape kills. There is a lot that dies. Decisions and dreams and agency we take for granted until we're violated in such an egregious way that our brains just have to sort of...figure it out. Repressing, regressing, constructing and finding the moments to move to the next day.

And that is hard to imagine it, isn't it. Unless you've been there... wrapping our minds around the devastation of rape is sometimes just academic. Let's be honest. Today, is yet another meeting of regulations—with sides for and against.

And we can't close our eyes and really comprehend. Unless we've been there. Unless we try to care. Unless we make it a mission to understand.

So, here we are. Eyes wide open. Some of us victims. Some of us friends. Some of us law makers and some of us the press. Debating this bill—because the current laws defy common sense. The truth is that there is literally no reason we must tolerate this arbitrary window of time limits and egregious outdated marital exemption.

I can appreciate the fear of false allegations. We know the history of this nation and how so many men were lynched and hanged for the lies of white women. I can appreciate the concern that accusations can harm generations. But just as we can look at the data and see the horrifying legacy left us, we can also look at the data and understand that today, false allegations make up roughly less than two to ten percent of accusations—no different than a variety of crimes in our nation. And while it may have been necessary at one point in time to limit the weight we placed on witness memory, we no longer need rely on this alone. We have forensic evidence—DNA evidence now. DNA evidence, that for the most part sits on shelves.

It wasn't until a little over five years ago that the law required untested rape kits to be tested. That law resulted in close to 14,000 rape kits being tested linking suspected serial offenders to thousands of crimes, mostly, rape. And there are more kits, dating as far back as the 1970s. That's fifty years of rape kits. Fifty years.

With a statute of limitations set at twenty.

In doing research for my testimony today, I wanted to know more about other crimes that carry limits to prosecution in Ohio. I was surprised to discover that felonies such as robbery carry the same statute of limitations as rape in our state. I don't in any way mean to disparage victims of this crime. However, I cannot comprehend how theft of property is being given the same weight in our justice system as the violent invasion of a human body. I cannot grasp how a car we drive (or perhaps scrap for junk) is given the same standing as people in our community. Many of them children.

We know that 60,000 of our children under twelve are assaulted each year. 60,000. Under twelve. The current statute of limitations will expire for them before their frontal lobe is fully developed. 60,000 children violated, usually by someone they know. Who are they suppose to tell? And when? How can we, as grown adults, victimize them again by telling them that it's simply too late to come forward? How can we sleep at night knowing they tried to and couldn't?

How much did rape kill in them?

Why won't we, with the power in our hands, make even an attempt at amends?

We know that approximately 20 million American women and men have been victims of attempted and completed rape. Twenty million of our family members, neighbors, colleagues, strangers, friends. Look around this room. We are here. We are telling you. This is a law that must change. We are here to remind you that rape does not go away.

You have the opportunity now to change the process of grief so many face. To give empowerment back to those who had theirs stripped away. You can never erase the violation rape victims have faced. But you can give them what their grief and resilience never could: Time to breath, time to grieve, time to make a decision about the decisions that were stolen from them. Time to prosecute and punish the one who violated them.

I am here in support of Ohio Senate Bill 162. I implore you to strip the current statute of limitations on rape and remove the exemptions for spousal rape. The world isn't going to stop for victims of rape. Time is going to march on long after this hearing today. Just as it has since that day. What you decide won't ever erase the grief and resilience of victims. But, together, we can, send a message to them... that we know more now than we did before—and we, understand.

Thank you.

Elizabeth Grattan